BRIAN J. STRETCH (CABN 163973) United States Attorney 2 BARBARA J. VALLIERE (DCBN 439353) 3 Chief, Criminal Division JULIE D. GARCIA (CABN 288624) Assistant United States Attorney 5 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102-3495 6 Telephone: (415) 436-6758 FAX: (415) 436-7234 7 Julie.Garcia@usdoj.gov 8 Attorneys for United States of America 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 SAN FRANCISCO DIVISION 12 13 UNITED STATES OF AMERICA, NO. CR 17-394 EMC-2 NO. CR 17-403 EMC-1 14 Plaintiff, 15 v. 16 OSCAR VANEGAS, STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER Defendant. 17 18 19 20 **STIPULATION** 21 IT IS HEREBY STIPULATED, by and between the parties to this action, as stated on the record 22 at the status conference on November 8, 2017, that the time between November 8, 2017, and December 23 20, 2017, be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B). The government recently completed discovery, and excluding this period of time will allow defense 24 25 counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv). 26 27 // 28 // ORDER EXLUDING TIME Case Nos. CR 17-394 EMC-2; CR 17-403 EMC-1

IT IS SO STIPULATED. 1 2 DATED: November 15, 2017 BRIAN J. STRETCH **United States Attorney** 3 4 JULIE D. GARCIA 5 Assistant United States Attorney DATED: November 15, 2017 6 7 SARA RIEF 8 Counsel for Defendant 9 OSCAR VANEGAS 10 11 [PROPOSED] ORDER 12 As explained on the record during the November 8, 2017, status conference, the Court finds that 13 the exclusion of the period from November 8, 2017, through December 20, 2017, from the time limits 14 applicable under 18 U.S.C. § 3161, is warranted; that the ends of justice served by the continuance 15 outweigh the interests of the public and the defendant in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would unreasonably deny defendant 16 17 continuity of counsel and deny defense counsel the reasonable time necessary for effective preparation, 18 taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 19 U.S.C. § 3161(h)(7)(A) and (B)(iv). 20 IT IS SO ORDERED. 21 22 11/22/17 DATED: HON. EDWA 23 United States 24 25 26 27 28

IT IS <u>SO</u> ORDERED Judge Edward M. Chen

ORDER EXLUDING TIME

Case Nos. CR 17-394 EMC-2; CR 17-403 EMC-1